

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

FREDRICK GOINGS,

Plaintiff,

vs.

JOHN BALDWIN, et al.,

Defendants.

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Case No. 16-CV-489-SMY-RJD

MEMORANDUM AND ORDER

YANDLE, District Judge:

This matter is before the Court for consideration of Plaintiff Fredrick Goings' Motion for Relief Pursuant to Rule 59(e) (Doc. 353). Federal Rule of Civil Procedure 59(e) provides a basis for relief when a party challenges the Court's application of the law to the facts of the case. *See Osterneck v. Ernst & Whinney*, 489 U.S. 169, 174-76 (1989). A Rule 59(e) motion will be granted upon a showing of either evidence in the record that clearly establishes a manifest error of law or fact or newly discovered evidence not previously available. *Sigsworth v. City of Aurora, Ill.*, 487 F.3d 506, 511-12 (7th Cir. 2007); *Romo v. Gulf Stream Coach, Inc.*, 250 F.3d 1119, 1121 n.3 (7th Cir. 2001). "Manifest error" is not demonstrated merely by the disappointment of the losing party. *Sedrak v. Callahan*, 987 F.Supp. 1063, 1069 (N.D. Ill. 1997). Rather, it is a court's "wholesale disregard, misapplication, or failure to recognize controlling precedent." *Id.*

Goings' Motion states only that he opposes this Court's decision and believes that it was "erroneous." He sets forth no grounds for reconsideration, does not make any argument or showing of manifest error of law or fact, and does not identify any newly discovery evidence.

Simply put, Goings offers no reason why this Court should reconsider its August 16, 2019 Order.

Accordingly, the Motion is **DENIED**.

IT IS SO ORDERED.

DATED: September 26, 2019

The image shows a handwritten signature in black ink that reads "Staci M. Yandle". The signature is written over a circular official seal. The seal features an eagle with a shield, holding an olive branch and arrows, with a constellation of stars above its head. The text "UNITED STATES DISTRICT COURT" is written around the top inner edge of the seal, and "SOUTHERN DISTRICT OF N.Y." is written around the bottom inner edge.

STACI M. YANDLE
United States District Judge